



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

WILL WILSON
ATTORNEY GENERAL

October 27, 1961

Hon. Lewis M. Hoppock, D.S.C.
Secretary, Texas State Board
of Chiropody Examiners
Temple, Texas

Opinion No. WW-1179

Re: Whether it is permissible
for a person licensed by
the Texas State Board of
Chiropody Examiners to
use the term podiatrist
to further describe his
speciality (i.e. Dr. John
Doe, Chiropodist, Podia-
trist).

Dear Dr. Hoppock:

You have requested an opinion from this office on
the question of:

"... Is it permissible for a person
licensed by the Texas State Board of Chiropody
Examiners to use the term podiatrist to further
describe and explain his speciality (i.e. Dr.
John Doe, Chiropodist, Podiatrist)?"

In Attorney General's Opinion No. WW-885 (1960)
this office had before it the question of:

"(1) Whether an individual licensed by
the State Board of Chiropody Examiners may
legally use the word 'podiatrist' following
his name in connection with the professional
use of his name on any sign, pamphlet, sta-
tionery, letterhead, signature, office door,
directories, etc."

The conclusion reached by this office in Attorney
General's Opinion No. WW-885 (1960) in regard to such question
was that:

"It is abundantly clear that the inten-
tion of the Legislature was to limit those
licensed under Article 4590e (3) (6) to the
use of one of the legally required identifi-
cations set out therein, and hence it is the
opinion of this Department that an individual

Hon. Lewis M. Hoppock, D.S.C., page 2 (WW-1179)

licensed by the State Board of Chiropody Examiners may not legally use the word 'podiatrist' following his name in connection with the professional use of his name on any sign, pamphlet, stationery, etc." (Emphasis added)

While the question dealt with in Attorney General's Opinion No. WW-885 (1960) was whether the term "podiatrist" could be used in lieu of the legally required identification set forth in Sec. 3 (6) of Article 4590e, the instant opinion request deals with the question of whether the term "podiatrist" may be used as an elaboration of the legally required identification set forth in Sec. 3 (6) of Article 5490e.

In view of the language of Sec. 3 of Article 4590e that:

"Every person licensed to practice the healing art . . . by . . . the State Board of Chiropody Examiners . . . shall in the professional use of his name on any sign, pamphlet, stationery, letter head, signature, or any other such means of professional identification, written or printed, designate in the manner set forth in this Act the system of the healing art which he is by his license permitted to practice. The following are the legally required identifications, one of which must be used by practitioners of the healing art:

". . .

"(6) If licensed by the State Board of Chiropody Examiners: chiropodist; doctor, D.S.C.; doctor of surgical chiropody; D.S.C.",

as well as the holding in Attorney General's Opinion No. WW-885 (1960) that:

". . . an individual licensed by the State Board of Chiropody Examiners may not legally use the word 'podiatrist' following his name in connection with the professional use of his name . . .",

we are of the opinion that the word or term "podiatrist" may not be used as an elaboration of the legally required identification set forth in Article 4590e, Sec. 3 (6).

Hon. Lewis M. Hoppock, D.S.C., page 3 (WW-1179)

The Legislature in enacting Article 4590e made no provision for the use of the word or term "podiatrist" in connection with the legally required identification of those practitioners of the healing art licensed by the Texas State Board of Chiropractic Examiners, nor did it provide for further description, explanation or elaboration of the required identifications set forth therein.

S U M M A R Y

The word and term "podiatrist" may not be used as a further description, explanation or elaboration of the legally required identifications set forth in Sec. 3 (6) of Article 4590e of those practitioners licensed by the Texas State Board of Chiropractic Examiners.

Yours very truly,

WILL WILSON
Attorney General of Texas



By Pat Bailey
Assistant

PB:lgh:ds

APPROVED:

OPINION COMMITTEE
W. V. Geppert, Chairman
Charles R. Lind
Elmer McVey
Joseph Trimble
Leon Pesek

REVIEWED FOR THE ATTORNEY GENERAL
BY: Houghton Brownlee, Jr.